

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SENATE BILL 1097

AN ACT

AMENDING SECTIONS 41-3504 AND 41-3507, ARIZONA REVISED STATUTES; RELATING TO THE GOVERNMENT INFORMATION TECHNOLOGY AGENCY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 41-3504, Arizona Revised Statutes, is amended to
3 read:

4 41-3504. Powers and duties of the agency; violation;
5 classification

6 A. ~~For budget units,~~ The agency shall:

7 1. Develop, implement and maintain a coordinated statewide plan for
8 information technology. This includes:

9 (a) Adopting statewide technical, coordination and security standards
10 for information technology.

11 (b) Serving as statewide coordinator for information technology
12 resources.

13 (c) Developing a statewide disaster recovery plan.

14 (d) Developing a list of approved agency projects by priority
15 category.

16 (e) Developing a detailed list of information technology assets owned,
17 leased or employed by this state.

18 (f) Evaluating and either approving or disapproving budget unit
19 information technology plans. Budget units shall submit information
20 technology plans that include quality assurance plans and disaster recovery
21 plans to the agency each year on or before September 1. The legislative and
22 judicial departments of state government shall submit information technology
23 plans for information purposes.

24 (g) Evaluating specific information technology projects relating to
25 the approved budget unit and statewide information technology plans. The
26 agency shall approve or reject projects with total costs of at least
27 twenty-five thousand dollars but not more than one million dollars and may
28 establish conditional approval criteria including procurement purchase
29 authority. If the total project costs exceed one million dollars the agency
30 shall evaluate the project and make recommendations to the committee.
31 Beginning on June 1, 1998, as part of a budget request for an information
32 technology project that has total costs of at least twenty-five thousand
33 dollars, a budget unit shall indicate the status of review by the agency.
34 Projects shall not be artificially divided to avoid review by the agency.

35 2. Require that budget units incorporate life cycle analysis
36 prescribed by section 41-2553 into the information technology planning,
37 budgeting and procurement processes.

38 3. Require that budget units demonstrate expertise to carry out
39 information technology plans, either by employing staff or contracting for
40 outside services.

41 4. Monitor information technology projects that the agency considers
42 to be major or critical, including expenditure and activity reports and
43 periodic review.

44 5. Temporarily suspend the expenditure of monies if the agency
45 determines that the information technology project is at risk of failing to

1 achieve its intended results or does not comply with the requirements of this
2 section.

3 6. Continuously study emergent technology and evaluate its impact on
4 this state's system.

5 7. Advise each budget unit as necessary and report to the committee on
6 an annual basis.

7 8. Provide to budget units, information technology consulting services
8 it deems necessary, either directly or by procuring outside consulting
9 services.

10 9. Maintain all otherwise confidential information received from a
11 budget unit pursuant to this section as confidential.

12 10. Provide staff support to the committee.

13 11. Subject to section 35-149, accept, spend and account for grants,
14 monies and direct payments from public or private sources and other grants of
15 monies or property for the conduct of programs that it deems consistent with
16 the overall purposes and objectives of the agency.

17 12. Adopt rules it deems necessary or desirable to further the
18 objectives and programs of the agency.

19 13. Formulate policies, plans and programs to effectuate the purposes
20 of the agency.

21 14. Advise and make recommendations to the governor and the legislature
22 on all matters concerning its objectives.

23 15. Contract and enter into interagency and intergovernmental
24 agreements pursuant to title 11, chapter 7, article 3 with any public or
25 private party.

26 16. Have an official seal that shall be judicially noticed.

27 B. The agency shall advise the judicial and legislative branches of
28 state government concerning information technology.

29 C. The agency may examine all books, papers, records and documents in
30 the office of any budget unit and may require any state officer of the budget
31 unit to furnish information or statements necessary to carry out the
32 provisions of this chapter.

33 D. The director, any member of the director's staff or any employee
34 who knowingly divulges or makes known in any manner not permitted by law any
35 particulars of any confidential record, document or information is guilty of
36 a class 5 felony.

37 E. THIS SECTION DOES NOT ALLOW ANY EMPLOYEE OF THE AGENCY TO HAVE
38 DIRECT ACCESS TO ANY OF THE BANKING OR INVESTMENT SYSTEMS OF THE STATE
39 TREASURER'S OFFICE.

40 Sec. 2. Section 41-3507, Arizona Revised Statutes, is amended to read:

41 41-3507. Statewide information security and privacy office;
42 duties; suspension of budget unit's information
43 infrastructure

44 A. The statewide information security and privacy office is
45 established in the government information technology agency. The statewide

1 information security and privacy office shall serve as the strategic
2 planning, facilitation and coordination office for information technology
3 security in this state. Individual budget units shall continue to maintain
4 operational responsibility for information technology security.

5 B. The director shall appoint a statewide chief information security
6 officer to manage the statewide information security and privacy office. The
7 statewide chief information security officer shall report to the director
8 pursuant to section 41-3503.

9 C. The statewide information security and privacy office shall
10 develop, implement, maintain and ensure compliance by each budget unit with a
11 coordinated statewide assurance plan for information security and privacy.
12 The statewide information security and privacy office shall:

13 1. Direct information security and privacy protection compliance
14 reviews with each budget unit to ensure compliance with standards and
15 effectiveness of security assurance plans as necessary.

16 2. Identify information security and privacy protection risks in each
17 budget unit and direct agencies to adopt risk mitigation strategies, methods
18 and procedures to lessen these risks.

19 3. Monitor and report compliance of each budget unit with state
20 information security and privacy protection policies, standards and
21 procedures.

22 4. Coordinate statewide information security and privacy protection
23 awareness and training programs.

24 5. Develop other strategies as necessary to protect this state's
25 information technology infrastructure and the data that is stored on or
26 transmitted by such infrastructure.

27 D. The statewide information security and privacy office may
28 temporarily suspend operation of information infrastructure that is owned,
29 leased, outsourced or shared in order to isolate the source of, or stop the
30 spread of, an information security breach or other similar incident. EXCEPT
31 FOR THE BANKING AND INVESTMENT SYSTEMS OF THE STATE TREASURER'S OFFICE, a
32 budget unit shall comply with directives to temporarily discontinue or
33 suspend operations of information infrastructure.

34 E. THIS SECTION DOES NOT ALLOW ANY EMPLOYEE OF THE STATEWIDE
35 INFORMATION SECURITY AND PRIVACY OFFICE TO HAVE DIRECT ACCESS TO ANY OF THE
36 BANKING OR INVESTMENT SYSTEMS OF THE STATE TREASURER'S OFFICE.

37 F. Each budget unit and its contractors shall identify and report
38 security incidents to the statewide information security and privacy office
39 immediately on discovery and deploy mitigation strategies as directed.